

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

SHERRI LEE HARTSOE,

Plaintiff,

v.

METRO-NASHVILLE POLICE DEPT.,
ET AL.,

Defendants.

3 08 0764

No. 3:08mc0177
Judge Campbell

MEMORANDUM

The plaintiff, proceeding *pro se* and *in forma pauperis*, brings this action under 18 U.S.C. §§ 241 and 242, and 42 U.S.C. § 14141 (the Violent Crime Control and Law Enforcement Act of 1994). The plaintiff names the Metro-Nashville Police Department and other unnamed/unidentified individuals as defendants. The plaintiff seeks money damages only.

The plaintiff asserts that she was assaulted in her residence on August 2, 2007 (Docket Entry No. 1, ¶ 4, p. 2). The crux of the complaint is that the police have yet to investigate the alleged incident (Docket Entry No. 1, ¶ 4, Attach. Cont. Pages).


Pro se complaints are to be construed liberally by the Court. See *Boag v. McDougall*, 454 U.S. 364, 365 (1982). However, under 28 U.S.C. § 1915(e)(2), the Court is required to dismiss a complaint brought by a plaintiff proceeding *in forma pauperis* “at any time the court determines” that the complaint is frivolous, malicious, or fails to state a claim on which relief may be granted. 28 U.S.C. §§ 1915(e)(2)(B)(i) and (B)(ii).

The plaintiff does not have a private right of action under either § 241 or § 242. *United States v. Oguaju*, 76 Fed. Appx. 579, 581 (6th Cir. 2003) (citing *Robinson v. Overseas Military Sales Corp.*, 21 F.3d 502, 511 (2nd Cir. 1994)). Neither does she have a private right of action under §

14141, which provides a civil cause of action only to the Attorney General of the United States. *See Adams v United States*, __ Fed Cl __, 2008 WL 2746867 at * 2 (Fed. Cl. 2008); *Guthrie v Franklin County, Missouri*, 2008 WL 815733 at * 3 (E.D. Mo. 2000).

Because the plaintiff does not have a private right of action under any of the statutes cited as grounds for relief, the complaint will be dismissed for failure to state a claim on which relief may be granted. 28 U.S.C. § 1915(e)(2)(B)(ii).

It is so **ORDERED**.


Todd Campbell
United States District Judge